

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-7284

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JODI DARLENE DODSON,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Irene M. Keeley, District Judge. (1:08-cr-00053-IMK-DJJ-3; 1:10-cv-00004-IMK-DJJ)

Submitted: February 22, 2012

Decided: March 6, 2012

Before MOTZ, SHEDD, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Jodi Darlene Dodson, Appellant Pro Se. Shawn Angus Morgan, Assistant United States Attorney, Clarksburg, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jodi Darlene Dodson seeks to appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on her 28 U.S.C.A. § 2255 (West Supp. 2011) motion. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1)(B) (2006). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2006). When the district court denies relief on the merits, a prisoner satisfies this standard by demonstrating that reasonable jurists would find that the district court's assessment of the constitutional claims is debatable or wrong. Slack v. McDaniel, 529 U.S. 473, 484 (2000); see Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003). When the district court denies relief on procedural grounds, the prisoner must demonstrate both that the dispositive procedural ruling is debatable, and that the motion states a debatable claim of the denial of a constitutional right. Slack, 529 U.S. at 484-85. We have independently reviewed the record and conclude that Dodson has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. In addition, we deny all of Dodson's pending motions, including her motions for appointment of counsel, to overturn her conviction, for subpoenas, and for reconsideration.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED